

**AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE**

**BE IT ORDAINED** by the Town Council of Kitty Hawk that the Kitty Hawk Town Code shall be amended as follows:

**CHAPTER 24. PARKS AND RECREATION**

**Sec. 24-53. - Windgrass Circle Park and multiuse path.**

(a)*Location.* Windgrass Circle Park is located on Windgrass Circle in Kitty Dunes Village. The multiuse path begins at the park and extends northward along Kitty Hawk Bay on Moore Shore Road, terminating at Beacon Street.

(b)*Regulations.* The following rules apply to both the park and the path:

(1)*Hours.* The Windgrass Circle Park is open daily throughout the year from sunrise to sunset subject to the Town designating by signage specific times.

(2)*Gated entrances.* Access to the park and path is controlled by gates that may only be opened and closed by persons authorized by the town. The gates are to remain closed at all times unless opened by persons authorized by the town.

(3)*Firearms.* The Town shall post signs prohibiting the possession of firearms, air guns, slingshots, bow and arrows or concealed handguns in the recreational facility except in accordance with G. S. 14-415.11 (c ) and G.S. 14-415.23.

(4)*Preservation of property.* No person shall injure, deface, or disturb any part of the park or path, any building, signs, equipment or other property found therein; or remove, peel, cut, or destroy any trees, flowers, scrubs, flora, rocks or other minerals.

(5)*Fires.* Pit fires, open fires and grills are prohibited. Nor shall any lighted matches, cigarettes, cigars or burning tobacco be deposited or extinguished except in a proper receptacle.

(6)*Garbage and refuse.* Park grounds and facilities and the path must be maintained in a clean and sanitary condition. Littering of any kind is strictly prohibited. Garbage and refuse must be deposited in the receptacles provided.

(7)*Dogs.* All dogs are required to be on a leash and accompanied by a person. Persons accompanying any dog within the park or on the path shall remove any solid animal waste left by the dog.

(8)*Fishing.* Fishing is prohibited at the park.

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(9)*Horses*. Horses are prohibited both in the park and along the path.

(10)*Speed limit and parking*.

a. Vehicle parking is strictly limited to those parking spaces provided at the park. Any vehicles parked outside of the entrance to the park or within the park outside of a designated parking area will be towed and subject to civil penalties as provided in this Code.

b. Motorized vehicles of any kind are prohibited on the path except that public utility companies, their employees and agents as well as federal, state, and local government officials, employees, and agents acting within the scope and course of their governmental capacity, employment or agency shall have the right to use the park and path when a need arises in the performance of their official duties. At no time shall this access become a common thoroughfare for government or public utility vehicles.

c. The town may also open the park and path for use by the general public when US Highway 158 and NC 12 are closed to motor vehicles.

d. The maximum speed limit for motor vehicles within the park and on the path is ten miles per hour.

(11)*Alcohol and drugs*. It shall be unlawful to possess or consume alcoholic beverages or illicit drugs within the park or on the path, or use the park or path while intoxicated or impaired.

(12)*Noise*. Loud noise is prohibited.

(13)*Glass*. Glass containers are prohibited.

(14)*Commercial enterprises*. No person, firm or corporation shall sell, solicit or offer for sale any item, property or privilege within the park or on the path.

(Ord. No. 05-07, § 13-32, 4-6-2005)

**Sec. 24-54. - Sandy Run Park.**

(a)*Location*. Sandy Run Park is located on The Woods Road.

(b)*Hours*. The Sandy Run Park is open daily throughout the year from sunrise to sunset.

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(c) *Firearms.* The Town shall post signs prohibiting the possession of firearms, air guns, slingshots, bow and arrows or concealed handguns in the recreational facility except in accordance with G. S. 14-415.11 (c ) and G.S. 14-415.23.

(d) *Preservation of property.* No person shall injure, deface, or disturb any part of the park or walkway, gazebo, basketball goal, picnic tables, charcoal grills; or remove, peel, cut, or destroy any trees, flowers, shrubs, rocks or other materials.

(e) *Fires.* Pit fires, open fires and personal grills are prohibited. Grills are provided for public use. Lighted matches, cigarettes, cigars or burning tobacco shall not be deposited or extinguished except in a proper receptacle.

(f) *Garbage and refuse.* Park grounds and facilities must be maintained in a clean and sanitary condition. Littering of any kind is strictly prohibited. Garbage and refuse must be deposited in the receptacles provided.

(g) *Dogs.* All dogs are required to be on a leash and accompanied by a person. Persons accompanying any dog within the park shall remove any solid animal waste left by the dog.

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(h) *Horses.* Horses are prohibited in the park.

(i) *Bicycles and skateboards.* Bicycles and skateboards will be allowed on the asphalt surface. No bicycles or skateboards are allowed on the boardwalk.

(j) *Parking.* Vehicle parking is limited to those parking spaces provided at the park. Any vehicles parked outside the entrance to the park or outside the parking spaces provided will be towed and subject to civil penalties as provided in this Code. Parking will be allowed in the park from sunrise to sunset.

(k) *Alcohol and drugs.* It shall be unlawful to possess or consume alcoholic beverages or illicit drugs within the park or use the park while intoxicated or impaired.

(l) *Noise.* Loud noise is prohibited.

(m) *Glass.* Glass containers are prohibited.

(n) *Commercial enterprises.* No person, firm or corporation shall sell, solicit or offer for sale any item, property or privilege within the park.

(Ord. No. 07-28, 9-4-2007)



**Sec. 24-55. - David Paul Pruitt, Jr. Park.**

(a)*Location.* David Paul Pruitt Jr. Park is located on the Woods Road near the intersection of US 158.

(b)*Hours.* The David Paul Pruitt Jr. Park is open daily throughout the year from sunrise to sunset subject to the town designating by signage specific times.

(c) *Firearms.* The Town shall post signs prohibiting the possession of firearms, air guns, slingshots, bow and arrows or concealed handguns in the recreational facility except in accordance with G. S. 14-415.11 (c ) and G.S. 14-415.23.

(d)*Preservation of property.* No person shall injure deface, or disturb any part of the park or play area, play equipment, picnic tables, benches; or remove, peel, cut or destroy any trees, flowers, shrubs, rocks, or other materials.

(e)*Garbage and refuse.* Park grounds and facilities must be maintained in a clean and sanitary condition. Littering of any kind is strictly prohibited. Garbage and refuse must be deposited in the receptacles provided.

(f)*Dogs.* Dogs are prohibited in the fenced area of the park.

(g)*Horses.* Horses are prohibited in the park.

(h)*Bicycles and skateboards.* Bicycles and skateboards are allowed on the asphalt surface designated for such use. All bicycles and skateboards shall give the right-of-way to pedestrians.

(i)*Parking.* Vehicle parking is limited to those parking spaces provided at the park and all motor vehicles must be parked in the designated parking area. There is no overnight parking allowed in the park and parking will be allowed from sunrise to sunset or such hours as may be designated by the town by posted signs. Vehicles left in the parking lot overnight will be towed and subject to payment of the towing fee and civil penalties as provided in [Chapter 1](#) of this Code.

(j)*Alcohol and drugs.* It shall be unlawful to possess or consume alcoholic beverages or non prescribed controlled substances within the park or use the park while intoxicated or subject to an impairing substance

(k)*Noise.* Loud noise in the park is prohibited.

(l)*Glass.* Glass containers in the park are prohibited.

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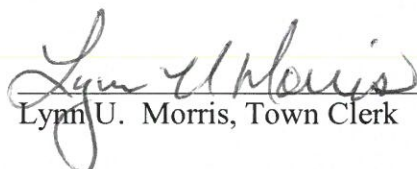
(m)*Commercial enterprise and solicitations.* No person, firm or corporation shall solicit in any manner or sell or offer for sale any item, property or privilege within the park.

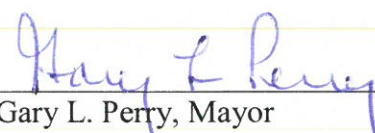
(n)*Motorized vehicles.* There shall be no motorized vehicles outside of the parking area other than motorized wheelchairs necessary for a handicapped person to access the park.

(o)*Camping.* There shall be no camping or sleeping in the park overnight.

(p)*Violations.* Violations of this section shall be subject to the penalties provided in Chapter 1 of this Code.

This ordinance amending the Kitty Hawk Town Code shall take effect the 1st day of August, 2016. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 1st day of August, 2016, by a vote of 5 in favor and 0 opposed.

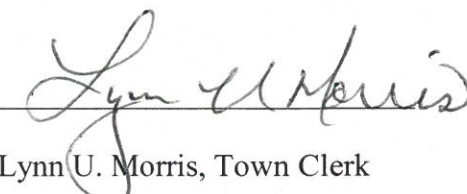
  
Lynn U. Morris, Town Clerk

  
Gary L. Perry, Mayor

APPROVED AS TO FORM:

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Casey Varnell, Town Attorney

The undersigned certifies that the forgoing official ordinance designated ORINANCE AMENDMENT OF THE TOWN OF KITTY HAWK, NORTH CAROLINA was filed in the Kitty Hawk Ordinance Book on the 7<sup>th</sup> day of August, 2016, at 3:05 o'clock p.m.

  
Lynn U. Morris, Town Clerk